

TOWN OF LYNDON
MINUTES OF
2009 ANNUAL TOWN MEETING

The 219th Annual Town Meeting of the Town of Lyndon was held as warned at the Lyndon Town School Gymnasium on Tuesday, March 3, 2009. Moderator Norman Messier gaveled the meeting to order at 9:02 AM. A moment of silence was observed to remember townspeople who had passed away during the year. Mr. Messier led the assembly of 183 in the Pledge of Allegiance and then offered an invocation for Town Meeting. The selectboard members and the town clerk were introduced and the rules of conducting the meeting were reviewed. There being no objections, Municipal Administrator Dan Hill was allowed to speak during the meeting, although he is not a resident of Lyndon. The reading of the Warning was dispensed with.

Directly after Article 9, our legislative representatives Howard Crawford and Dick Lawrence addressed the assembly regarding the happenings in Montpelier and described the federal stimulus grant available to Vermont. The assembly thanked Jason Harris and Michelle Barrett for running the cordless microphone during the meeting.

Article 1. Shall the voters of the Town of Lyndon authorize the Selectboard to borrow for Town expenses not to exceed one million dollars (\$1,000,000) in anticipation of taxes and to execute and deliver the note or notes therefore?

Motion made by Pat Jauch, seconded by Sue Teske, to adopt Article 1. There being no discussion, the article carried in the affirmative by voice vote.

Article 2. Shall the voters of the Town of Lyndon authorize the Selectboard to borrow money for the operation of the Wastewater Department not to exceed one hundred thousand dollars (\$100,000) in anticipation of revenues and to execute and deliver the note or notes therefore?

Motion made by Pat Jauch, seconded by Sue Teske, to adopt Article 2. There being no discussion, the article carried in the affirmative by voice vote.

Article 3. Shall the voters of the Town of Lyndon authorize the Selectboard to set charges by residential unit to defray the cost of sanitation service for the period January 1, 2009 through December 31, 2009, and to set the date of collection of same?

Motion made by Sherm Laughton, seconded by Sue Teske, to adopt Article 3. Carol Fisher was told that the 2009 sanitation rate was anticipated to be \$175. There being no further discussion, the article carried in the affirmative by voice vote.

Article 4. Shall the voters of the Town of Lyndon vote to increase the veterans' exemption from \$10,000 to \$40,000 of appraisal value of real property pursuant to 32 V.S.A Section 3802 (11)?

Motion made by Steve Pitman, seconded by Craig Schnepf, to adopt Article 4. It was explained to Martin Fors that the state statute allowing for a \$10,000 exemption for disabled veterans was recently changed to allow towns to increase the amount of the exemption to up to \$40,000. The cost to the Town in lost tax revenue would be \$4,507 for the 23 parcels currently claiming the exemption. The increase in the exemption does not apply to education taxes. Steve Pitman asked that the exemption apply to all veterans, not just to the disabled as defined by the statute. Carol Fisher's questions regarding eligibility were answered. There being no further discussion, the article carried in the affirmative by voice vote.

Article 5. Shall the Town of Lyndon appropriate \$250 to the American Legion Post #30 to purchase flags to mark and decorate graves of deceased veterans on Memorial Day?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 5. Carol Fisher asked for a representative of the organization to explain the article. Being none, Mrs. Fisher moved to pass over the article. Motion to pass over was seconded by Herb Perry. Steve Pitman asked that the flags be recycled and Martin Fors spoke of the importance of the flags. Motion to pass over was defeated by voice vote. David Stahler commented that \$250 was a small price for such an important issue. There being no further discussion, the article carried in the affirmative by voice vote.

Article 6. Shall the Town of Lyndon appropriate \$5,400 to assist the Area Agency on Aging for Northeastern Vermont in providing services to senior citizens in the ensuing year?

Motion made by Edson Birchard, seconded by Sue Teske, to adopt Article 6. Lynn Goulding gave an overview of the organization and the services it provides. Carol Fisher thanked Ms. Goulding for representing the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 7. Shall the Town of Lyndon appropriate \$9,500 to the Caledonia Home Health Care and Hospice to be used in providing health care services?

Motion made by Cathy Boykin, seconded by Siobhan Teske, to adopt Article 7. Steve Feltus spoke as the representative of the organization. Ron Howland was told that the request for 2009 is the same as last year's appropriation. There being no further discussion, the article carried in the affirmative by voice vote.

Article 8. Shall the Town of Lyndon appropriate \$1,000 to Catamount Arts?

Motion made by Julia Sturm, seconded by Siobhan Teske, to adopt Article 8. Julia Sturm spoke on behalf of the organization after Carol Fisher's request for an explanation. Motion made by Carol Fisher, seconded by Donna Edwards, to pass over the article. Tim Sturm asked for a point of order on the motion to pass over. Parliamentarian Joe Benning felt that a motion to pass over should be made directly after an article is read. The moderator ruled that motions to pass over must come before or as the article is read. The motion to pass over Article 8 was not recognized. Derek Murphy spoke on behalf of the organization. Siobhan Teske asked if their programs benefit children. Pat Jauch's motion to call the question was approved unanimously by voice vote. Sherb Lang read a portion of Robert's Rules of Order regarding courtesy to members. There being no further discussion, the article carried in the affirmative by voice vote.

Article 9. Shall the Town of Lyndon appropriate \$3,000 to the Darling Inn Senior Meal Site, Inc.?

Motion made by Edson Birchard, seconded by Pat Jauch, to adopt Article 9. Mr. Birchard answered Carol Fisher's questions about the organization and described the services offered. There being no further discussion, the article carried in the affirmative by voice vote.

Article 10. Shall the Town of Lyndon appropriate \$5,000 for the operation of the Fairbanks Museum and Planetarium during the ensuing year, in exchange for free unlimited general admission to the Museum for all Lyndon residents?

Motion made by Sherm Laughton, seconded by Sue Teske, to adopt Article 10. There being no discussion, the article carried in the affirmative by voice vote.

Article 11. Shall the Town of Lyndon appropriate \$1,500 to the Lyndon Area Senior Action Center, Inc.?

Motion made by Edson Birchard, seconded by Sue Teske, to adopt Article 11. There being no discussion, the article carried in the affirmative by voice vote.

Article 12. Shall the Town of Lyndon appropriate \$1,000 to Lyndon Outing Club?

Motion made by Sue Teske, seconded by Siobhan Teske, to adopt Article 12. Sue Teske answered Ron Howland's questions and described the programs offered by the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 13. Shall the Town of Lyndon appropriate \$1,000 to Lyndonville Youth Baseball/Softball?

Motion made by Mark Beattie, seconded by Sue Teske, to adopt Article 13. Barry Brooks described the programs provided by the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 14. Shall the Town of Lyndon appropriate \$5,720 to Northeast Kingdom Human Services, Inc., to assist in maintaining services in mental health, developmental services, family counseling, services to children and the elderly, substance abuse treatment, and 24-hour emergency services?

Motion made by Sue Teske, seconded by Tim Sturm, to adopt Article 14. There being no discussion, the article carried in the affirmative by voice vote.

Article 15. Shall the Town of Lyndon appropriate \$250 to Northeast Kingdom Learning Services, Inc. for support of the Northeast Kingdom Adult Education & Literacy Program?

Motion made by Sue Teske, seconded by Patty Murphy, to adopt Article 15. There being no discussion, the article carried in the affirmative by voice vote.

Article 16. Shall the Town of Lyndon appropriate \$2,750 to Northeast Kingdom Youth Services?

Motion made by Patty Murphy, seconded by Siobhan Teske, to adopt Article 16. Derek Murphy described the programs offered by the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 17. Shall the Town of Lyndon appropriate \$2,288 to the Northeastern Vermont Development Association for planning, development, promoting and publicizing the resources of Caledonia, Essex and Orleans counties with other towns in the three counties?

Motion made by Siobhan Teske, seconded by Sue Teske, to adopt Article 17. Martha Feltus described the services provided to the Town of Lyndon by the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 18. Shall the Town of Lyndon appropriate \$600 for support of the Retired and Senior Volunteer Program (RSVP)?

Motion made by Pat Jauch, seconded by Sue Teske, to adopt Article 18. Teresa Vasko spoke of the services offered by the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 19. Shall the Town of Lyndon appropriate \$2,000 to the Riverside Life Enrichment Center/Adult Day Health Services to be used in providing services to elders and disabled adults?

Motion made by Derek Murphy, seconded by Sue Teske, to adopt Article 19. There being no discussion, the article carried in the affirmative by voice vote.

Article 20. Shall the Town of Lyndon appropriate \$6,440.63 to Rural Community Transportation?

Motion made by Tim Sturm, seconded by Sue Teske, to adopt Article 20. Carol Fisher stressed the need to make cuts and asked why buses appear to be almost empty when seen. Kathy McGowan and others spoke of their use of the program and the need for the organization. Sandy Thorne described the services offered by the organization stating that there are on average 140 boarders a day on the St. J./Lyndon shuttle, which runs 5 times a day. Ron Howland asked for cuts as well. There being no further discussion, the article carried in the affirmative by voice vote.

Article 21. Shall the Town of Lyndon appropriate \$4,000 to Umbrella, Inc. to serve victims of domestic and sexual violence and their children, families seeking child care, and child care providers?

Motion made by Derek Murphy, seconded by Sue Teske, to adopt Article 21. There being no discussion, the article carried in the affirmative by voice vote.

Article 22. Shall the Town of Lyndon appropriate \$250 to support Vermont Center for Independent Living's programs and services to people with disabilities?

Motion made by Edson Birchard, seconded by Sue Teske, to adopt Article 22. Mr. Birchard spoke on behalf of the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 23. Shall the Town of Lyndon appropriate \$7,500 to the Village Improvement Society (VIS) towards operating and maintenance of the pool at Powers Park?

Motion made by Siobhan Teske, seconded by Sherm Laughton, to adopt Article 23. Cynthia Simpson described the services provided by the organization. Sherb Lang commended the organization for the work that they do. There being no further discussion, the article carried in the affirmative by voice vote.

Article 24. Shall the voters of the Town of Lyndon authorize the transfer of the \$2,002.68 in savings for a Teen Center to be used to help defray the cost of construction of the proposed skateboard park?

Motion made by Siobhan Teske, seconded by Sue Teske, to adopt Article 24. Martha Feltus answered Carol Fisher's questions about the skateboard park project. Sue Teske spoke on behalf of the proposed park. There will be no fee to use the proposed park which will be covered by the Town's insurance. Volunteers will be responsible for maintaining the park. The money in savings originated from \$1,377.65 donated in 1996 to create a teen center. There being no further discussion, the article carried in the affirmative by voice vote.

Article 25. Shall the voters of the Town of Lyndon vote to adopt the proposed General Fund budget for the ensuing year? (NOTE: Total General Fund budget is subject to increase by amounts approved on previous special appropriations.)

Motion made by Siobhan Teske, seconded by Pat Jauch, to adopt Article 25 in the amount of \$2,591,060.63. Members of the Selectboard gave an overview of the 2009 general fund budget. Martha Feltus explained that the selectboard believes the police department needs a third police officer due to an increase in calls for service and the fact that the State Police will not respond anywhere in Lyndon when Lyndon has an officer on duty. The trend of the Vermont State Police is to get out of local policing and to concentrate on services to the state. The budget as presented asks for the same amount of tax dollars as last year's budget.

Motion made by Reed Garfield, seconded by Donna Edwards, to amend Article 25 by cutting \$28,691 from the budget, requesting that the Selectboard remove that amount from the police department budget, and to vote on the amendment by paper ballot. Steve Pitman was told that the coverage area has increased from 2 square miles to 36 square miles since April of 2008. Carol Fisher expressed frustration over having just passed \$59,000 of special appropriations that will benefit a few yet people are questioning a third officer that will benefit everyone. Russ Blake read from a prepared statement expressing a desire to not hire a third officer. Patty Murphy spoke to the benefits to the Town of a third officer. Sherb Lang feels that the third officer is needed but would be ineffective and wants our voices heard in Montpelier that we are paying for the State Police but are not receiving the services from them. Ron Howland suggested that the Police Department hours be adjusted to be on duty during hours of crime. Carol Fisher expressed the need for the third officer to write big tickets and little tickets. Todd Wellington stated that he doubted the State Police would be coming back to Lyndon. Sue Teske was told that the hours of coverage are up to the Police Chief but he has expressed a desire to have more late night coverage. Kermit Fisher addressed Steve Young's questions about the Police Advisory Committee. Mark Beattie spoke of the need for the third officer. Bob Heath expressed concern over not having a right to vote on the third officer, since it is included in the budget. Colin Koponen-Robotham

spoke for the third officer. Chief Harris addressed comments from the assembly and explained that the need for the additional officer is due to the increase in area of coverage. Dennis Sweet recapped his understanding of how things are different this year from last and feels the Selectboard should be trusted to deal with personnel issues, a sentiment echoed by Carol Fisher. Kevin Calkins clarified that the \$28,691 presented by Mr. Garfield is the difference between the 2009 police budget and the 2008 actual expenditures. The actual cost in the 2009 budget for the third officer is \$16,000. Derek Murphy called the question, which was approved by the required two-thirds. The vote to amend Article 25 by decreasing the budget by \$28,691 was defeated by paper ballot (Yes-49, No-117).

Ken Burchesky's various questions regarding the budget were answered. Carol Fisher expressed concern over the use of the Lyndon Rescue vehicles for non-emergency uses. Jim Gallagher, Lyndon's representative to Lyndon Rescue, was available to answer questions. There being no further discussion, the article carried in the affirmative by voice vote.

Article 26. Shall the voters of the Town of Lyndon vote to assess a general Town tax in an amount sufficient to support the adopted budget, including any special appropriation articles approved by voters?

Motion made by Pat Jauch, seconded by Sherm Laughton, to adopt Article 26. There being no discussion, the article carried in the affirmative by voice vote.

Article 27. Shall the voters of the Town of Lyndon vote to authorize the Selectboard to determine the tax rate necessary to raise the approved assessment based on the 2009 Grand List?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 27. There being no discussion, the article carried in the affirmative by voice vote.

Article 28. Shall the voters of the Town of Lyndon vote that taxpayers pay real and personal taxes to the Treasurer on or before 4:30 PM on Friday, November 6, 2009, with delinquent taxes having interest charges of one percent per month for the first three months, whereafter interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 6, 2009, at 4:30 PM?

Motion made by Patty Murphy, seconded by Sue Teske, to adopt Article 28. Linda Lee gave an update on the balance of delinquent taxes. There being no further discussion, the article carried in the affirmative by voice vote.

Article 29. Australian balloting for election of officers, the bond vote, and the Northeast Kingdom Waste Management District budget. (Results reported at the end of these minutes.)

Article 30. Do the voters of the Town of Lyndon desire to transact any other proper business?

Steve Pitman asked for a tax exemption for all honorably discharged veterans.

Sherb Lang asked for amendments to the Pet Control Ordinance to allow for hunting dogs during training and established hunting seasons.

Sue Teske asked that those organizations seeking special appropriations have a display table at Town Meeting. She also expressed appreciation for the work Dan Hill has done for the Town and encouraged people to volunteer and donate.

Russ Blake asked for an organization to provide a meal during Town Meeting.

There being no further business, motion made by Sue Teske, seconded by Derek Murphy, to adjourn the meeting. Motion carried in the affirmative by voice vote and the meeting was adjourned at 12:58 PM.

TOWN OF LYNDON
MINUTES OF
2009 ANNUAL TOWN HIGHWAY DISTRICT MEETING

The Annual Town Highway District Meeting was gaveled to order at 2:40 PM.

Article 31. Shall the voters of the Town Highway District vote to adopt the proposed budget for the highway expenses for the ensuing year?

Motion made by Sue Teske, seconded by Sherm Laughton, to adopt Article 31 in the amount of \$1,342,970. Selectboard member Kermit Fisher presented an overview of the proposed budget. There being no further discussion, the article carried in the affirmative by voice vote.

Article 32. Shall the voters of the Town Highway District vote to assess a Town Highway tax in an amount sufficient to support the adopted budget for the ensuing year?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 32. There being no discussion, the article carried in the affirmative by voice vote.

Article 33. Shall the voters of the Town Highway District vote to authorize the Selectboard to determine the rate necessary to raise said assessment on the 2009 Highway Grand List?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 33. There being no discussion, the article carried in the affirmative by voice vote.

Article 34. Shall the voters of the Town Highway District vote that taxpayers pay their Town Highway taxes to the Treasurer on or before 4:30 PM on Friday, November 6, 2009, with delinquent taxes having interest charges of one percent per month for the first three months, whereafter interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 6, 2009, at 4:30 PM?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 34. There being no discussion, the article carried in the affirmative by voice vote.

Article 35. Do the voters of the Town Highway District desire to transact any other proper business?

There being no further business, motion made by Sue Teske, seconded by Pat Jauch, to adjourn the meeting. Motion carried in the affirmative by voice vote and the meeting was adjourned at 2:47 PM.